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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,786	04/13/2001	Satoshi Shimbori	Q64077	1918

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EXAMINER
SINGH, SATWANT K

ART UNIT	PAPER NUMBER
2626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/833,786	SHIMBORI ET AL.
	Examiner	Art Unit
	Satwant K. Singh	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 October 2005</u>.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-7,10-19 and 21-30</u> is/are rejected.

7)☒ Claim(s) <u>8,9 and 20</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>13 April 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some * c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This is in response to the amendment filed on 28 October 2005.

Response to Arguments

2.   Applicant's arguments filed 28 October 2005 have been fully considered but they
are not persuasive. Applicant argues that the prior art of Nagasaka (US 6,519,049) fails
to disclose "a correcting information provider to obtain individual color characteristics of
the printer" so that "images having the same color as the actual goods can be printed".
Nagasaka discloses "the color-correction destination data 172, which is the profile for
the printer 180, is transmitted from the receiver computer to the transmitter computer
200. The transmitter computer 200 then carries out an appropriate color correction with
respect to the color image data" (col. 22, lines 39-53). This allows the printer to "print a
color image with the tints desired by the user of the transmitter computer" (reads on
same color as the actual goods).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that
form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

4.   Claims 1-4, 6, 7, 10-13, 15-19, and 21-28 are rejected under 35 U.S.C. 102(e) as
being anticipated by Nagasaka (US 6,519,049).

5.   Regarding Claim 1, Nagasaka discloses a printing system for printing a color

image provided via the Internet, comprising: a terminal unit (receiver computer 100),

connected to said Internet, operable to obtain said color image; a printer (printer 180),

connected to said terminal unit, print said color image; and a correcting information

provider (transmitter computer 200) operable to obtain a current setting including at

least color characteristics of the printer, and to provide said terminal unit with correcting

information for allowing said printer to print out said predetermined color information of

said color image in accordance with at least color characteristics of said printer (color

correction destination data 172 is transmitted for the receiver computer 100 to the

transmitter computer 200) (col. 22, lines 39-53).

6.   Regarding Claim 2, Nagasaka discloses a printing system, wherein said

correcting information provider is connected to said terminal unit (Fig. 2, Internet 600)

(receiver computer and transmitter computer are connected to each other via the

Internet 600) (col. 15, lines 25-27).

7.   Regarding Claim 3, Nagasaka discloses a printing system, wherein said

correcting information provider is connected to said terminal unit via said Internet (Fig.

2, Internet 600) (receiver computer and transmitter computer are connected to each

other via the Internet 600) (col. 15, lines 25-27).

8.   Regarding Claim 4, Nagasaka discloses a printing system, wherein said

correcting information provider includes a printer type database for storing information

regarding color characteristics for each type of said printer (transmitted user interface

data) (col. 16, lines 33-42, col. 18, lines 1-4), and said correcting information provider

provides said correcting information obtained by color correction based on the contents

of said printer type database (inputting print settings information based on the

transmitted user interface data) (col. 18, lines 10-14).

9.   Regarding Claim 6, Nagasaka discloses a printing system, wherein said

correcting information provider provides said correcting information in accordance with

at least color characteristics of said printer and a type of paper to be used by said

printer (Figs. 5 and 6) (transmission control unit 211 reads the input print settings

information to specify a variety of print settings of the printer 180) (col. 22, lines 54-63).

10.   Regarding Claim 7, Nagasaka discloses a printing system, wherein said

correcting information provider includes a user-setting information database for storing

printer-setting information regarding a current color setting of said printer, a type and a

size of paper to be used by said printer, and said correcting information provider

provides said correcting information based on said printer-setting information (Figs. 5

and 6) (transmission control unit 211 reads the input print settings information to specify

a variety of print settings of the printer 180) (col. 22, lines 54-63).

11.   Regarding Claim 10, Nagasaka discloses a printing system, wherein said

correcting information provider includes a layout unit operable to make a layout of said

image based on said size of paper (Fig. 5) (user of the transmitter computer 200 input

details of paper settings 252) (col. 18, lines 15-32)

12.   Regarding Claim 11, Nagasaka discloses a printing system, wherein said user-

setting information database is operable to store information regarding brightness and

sharpness of said image, and said correcting information provider provides said

correcting information based oh said printer-setting information and said information

regarding said brightness and said sharpness of said image (Fig. 6) (color correction

element 118 reads the print settings information to specify a variety of print settings of

the printer 180) (col. 19, lines 11-33).

13.   Regarding Claim 12, Nagasaka discloses a printing system, wherein said

correcting information provider includes: an image obtaining unit (I/O unit 220) operable

to obtain said image from said Internet; and an information presenting unit

(communications device 160) operable to present said image to said terminal unit,

wherein said terminal unit obtains said image via said information presenting unit

(receiver computer 100 receives he color image data, color correction source data, and

various pieces of print settings via the communications device) (col. 18, lines 56-67).

14.   Regarding Claim 13, Nagasaka discloses a printing system, wherein said

correction information provider includes a correction notifying unit operable to notify said

terminal unit the contents of correction to be performed for said image (receiver

computer 100 receives he color image data, color correction source data, and various

pieces of print settings via the communications device) (col. 18, lines 56-67).

15.   Regarding Claim 15, Nagasaka discloses a printing system, wherein said

terminal unit (receiver computer 100) includes: an image receiving unit (input

processing unit 112) operable to receive said color image; an image displaying unit

(monitor 150) operable to display said color image received; and a correcting

information requesting unit (print processing unit 114) operable to request said

correcting information provider to provide said terminal unit with said correcting

information corresponding to said color image (the print processing unit 114 further

includes a resolution conversion element 115, a color correction element 118, a color

conversion element 116, and a halftone processing element 117) (col. 13, lines 24-55).

16.   Regarding Claim 16, Nagasaka discloses a printing system, wherein said

terminal unit further includes: a printer-setting obtaining unit (user interface data 171)

operable to obtain a current setting of said printer (the user interface data 171 is used to

display a user interface for inputting print settings information corresponding to the

printer 180) (col. 13, lines 24-55); and a printer-setting information transmitting unit

operable to transmit said current setting of said printer to said correcting information

provider when said terminal unit requests the transmission of said correcting information

to said correcting information provider (color correction destination data 172 is

transmitted for the receiver computer 100 to the transmitter computer 200) (col. 22, lines

39-53).

17.   Regarding Claim 17, Nagasaka discloses a printing system, wherein said

correcting information provider includes a storing unit (hard disk 270) operable to store

said correcting information so as to allow re-use of said correcting information (color

image data 271, which is the print data to be transmitted, and color-correction source

data 272, which is used in the process of color correction of the print data or the color

image data 271, have been stored in advance in the hard disk 270) (col. 13, lines 62-

67).

18.   Regarding Claim 18, Nagasaka discloses a printing system, wherein said

correcting information determines whether or not said correcting information is stored in

said storing unit, and reads said correcting information when it is determined that said

correcting information is stored and transmits said read correcting information to said

terminal unit (the transmission control unit 211 first reads the color image data ID (271),

which is the object of transmission, from the hard disk 270, then reads the color-

correction source data 272 corresponding to the display settings of the monitor 250 (that

is, the profile for the monitor 250), and transmits the color image data 271 and the color-

correction source data 272 together with the various pieces of input print settings

information to the receiver computer 100 via the communications device 160 at step

S110) (col. 18, lines 44-55).

19.   Regarding Claim 19, Nagasaka discloses a printing system, further comprising:

an information sending apparatus (I/O unit 220) operable to provide said color image on

the Internet; and an information notifying apparatus (communications device 260)

operable to provide location information indicating a location of said color image on the

Internet, wherein said correcting information provider obtains said color image based on

said location information and provides said correcting information corresponding said

color image to said terminal unit (the user interface data provided in the receiver

computer 100 is not only for the transmitter computer 200 but generally for a large

number of transmitter computers connected to the Internet 600) (col. 17, lines 43-49).

20.   Regarding Claim 21, Nagasaka discloses a printing system, wherein said

terminal unit includes: a receiving unit operable to receive said location information

(communications device 160); and a correcting information requesting unit (transmitted

instruction) operable to request said correcting information provider to provide said

terminal unit with said correcting information corresponding to said color image and to

transmit said location information to said correcting information provider (in the receiver

computer 100, when the communications device 160 receives the transmitted

instruction for starting the transmitting process, the transmission control unit 111 of the

CPU 110 reads the user interface data 171 from the hard disk 170 and transmits the

user interface data 171 to the transmitter computer 200 via the communications device

160 at step S104) (col. 17, lines 33-42).

21.   Regarding Claim 22, Nagasaka discloses a printing system, wherein said

terminal unit further includes: a printer-setting obtaining unit operable to obtain a current

setting of said printer (user interface data 171); and a printer-setting information

transmitting unit operable to transmit said current setting of said printer to said

correcting information provider when said terminal unit requests the transmission of said

correcting information to said correcting information provider (the user interface data

171 is used to display a user interface for inputting print settings information

corresponding to the printer 180, whereas the color-correction destination data 172 is

used in the process of color correction of the print data or the color image data) (col. 13,

lines 50-55).

22.   Claim 23 is rejected for the same reason as claim 17.

23.   Claim 24 is rejected for the same reason as claim 18.

24.   Regarding Claim 25, Nagasaka discloses a method of supplying correcting

information for a color image having a predetermined color information provided via the

Internet to a printer connected to the Internet, comprising: obtaining a current setting of

the printer including at least color characteristics of the printer (color correction

destination data 172 is transmitted for the receiver computer 100 to the transmitter

computer 200) (col. 22, lines 39-53); obtaining the color image from the Internet

(receiver computer and transmitter computer are connected to each other via the

Internet 600) (col. 15, lines 25-27); and providing the printer with correcting information

for allowing said printer to print out said predetermined color information of said color

image in accordance with said current setting of the printer (color image printed by the

printer 1`80 based on the color image data transferred to the receiver computer) (col.

22, lines 39-53).

25.   Regarding Claim 26, Nagasaka discloses a printing method, wherein said current

setting of said printer includes at least color characteristics of said printer (profile of the

printer) (col. 22, lines 39-53).

26.   Regarding Claim 27, Nagasaka discloses a printing method, wherein said current

setting of said printer includes a size and a type of paper to be used by said printer

(Figs. 5 and 6) (transmission control unit 211 reads the input print settings information to

specify a variety of print settings of the printer 180) (col. 22, lines 54-63), and said

printer prints said color image by using said correcting information provided in

accordance with said color characteristics of said printer and said size and type of said

paper (Figs. 5 and 6) (transmission control unit 211 reads the input print settings

information to specify a variety of print settings of the printer 180) (col. 22, lines 54-63).

27.   Claim 28 is rejected for the same reason as claim 25.

28.   Regarding Claim 29, Nagasaka discloses a printing apparatus, wherein said

correcting information provider corrects said color image in accordance with at least

color characteristics of said printer, so that said correction information is calculated as

corrected image (transmitter computer carries out an appropriate color correction with

respect to the color image) (col. 22, lines 39-53).

Claim Rejections - 35 USC § 103

29.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

30.   Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nagasaka in view of Kuwata et al. (6,404,509).

31.   Regarding Claim 5, Nagasaka teaches a printing system, wherein color

correction is performed in accordance with said color characteristics of said printer.

Nagasaka fails to teach a printing system wherein said information regarding said

color characteristics is a color table to be used for said color correction in accordance

with said color characteristics of said printer.

Kuwata et al teach a printing system wherein said information regarding said

color characteristics is a color table to be used for said color correction in accordance

with said color characteristics of said printer (The color correction at step S130 is

substantially performed by such operation of the printer driver as forming a color

correction look-up table upon its activation as well as incorporating the color correction

look-up table into a color conversion look-up table) (col. 19, lines 23-27).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Nagasaka with the teaching of

Kuwata to use a color conversion look-up table for color calibration of the printer since

look-up tables are often used for color calibration of printers.

32.   Regarding Claim 14, Nagasaka fails to teach a printing system, wherein said

correction notifying unit determines whether or not said color characteristics of said

printer are in normal regions, and notifies said terminal unit that said color

characteristics are abnormal when said color characteristics of said printer are out of

said normal regions.

Kuwata et al teach a printing system, wherein said correction notifying unit

determines whether or not said color characteristics of said printer are in normal

regions, and notifies said terminal unit that said color characteristics are abnormal when

said color characteristics of said printer are out of said normal regions (reading of the

uneven data is performed by executing a bidirectional communication) (col. 19, lines 33-

43).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Nagasaka with the teaching of

Kuwata to use bidirectional communication between the correction notifying unit and the

terminal unit to notify the terminal unit that the printer is out of calibration.

33.   Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Nagasaka in view of Gu (US 5,874,988).

34.   Regarding Claim 30, Nagasaka fails to teach a printing apparatus, wherein said

predetermined color is the original color of an item shown on an advertisement provided

via the Internet.

35.   Gu teaches a printing apparatus, wherein said predetermined color is the original

color of an item shown on an advertisement provided via the Internet (system for color

correction for use in advertisements, which can be implemented in a communications

network such as the Internet) (col. 10, lines 57-67, col. 11, lines 1-26)

        Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Nagasaka with the teaching of Gu to

make sure the advertisement that is printed is the same color as the actual product

being advertised.

Allowable Subject Matter

36.   Claims 8, 9, and 20 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

Conclusion

37.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

        Sugiura et al. (US 6,177,934) disclose a system enables the reading

characteristic of an image reader in a network to be recognized by a host computer.

Nagasaka (US 6,505,252) discloses data transfer utilizing preview data.

Jeyachandran et al. (US 6,633,871) disclose an apparatus, method and memory medium for accessing another apparatus to perform processing.

Roth et al. (US 6,738,152) disclose methods and apparatus implementing a technique for printing to a selected destination in a computer system.

Murai (US 6,940,612) discloses a data converter, computer and printer.

Nagasaka (US 6,981,053) discloses data transfer utilizing preview data.

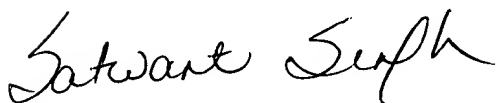Nagasaka (US 2003/0065718) discloses data transfer utilizing preview data.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Satwant K. Singh
Examiner
Art Unit 2626

sks

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER